

## **REMARKS**

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

The Examiner rejected claims 1, 4-5, and 8-9 under 35 U.S.C. 103(a) as being unpatentable over JP 2002-302026 in view of JP 2000-006759. The Examiner's rejection is traversed for the following reason.

Claim 1 has been amended to further differentiate the present invention over the cited prior art. Specifically, claim 1 has been amended to define a time relationship between tightening and releasing the seatbelt. Support for this amendment can be found on page 36, line 21 through page 37, line 2 of the specification (paragraph [0116] of U.S. Pat. Pub. No. 2006/0097504). No new matter has been added.

Accordingly, in regards to claim 1, Applicant discloses a travel safety device for a vehicle that includes an object detecting unit, which detects an object traveling in the same direction as the vehicle, a correlation calculating unit, which calculates a correlation relating to the distance between the vehicle and the object based on the detection result of the object detecting unit, a safety unit, and a safety device operation control unit. The safety unit device includes an automatic brake unit, which automatically decelerates the vehicle, and a seatbelt device, which automatically tightens and releases the seatbelt. The safety device operation control unit determines the possibility of contact between the vehicle and the object based

on the correlation calculated by the correlation calculating unit. Also, in the event that there is a possibility of a contact between the vehicle and the object, the safety device operation control unit simultaneously actuates the automatic brake unit and seatbelt device. Thus, the brake unit and the seatbelt device act simultaneously when there is a possibility of contact between the vehicle and the object.

Further, the automatic brake unit is capable of decelerating the vehicle in multiple different deceleration patterns and the seatbelt device is capable of tightening and releasing the seatbelt in multiple different operation patterns. In addition, when the distance between the vehicle and the object enters a predetermined range based on the correlation calculated by the correlation calculating unit, the automatic brake unit causes the vehicle to decelerate to a degree, thereby allowing the occupant to recognize that a braking force has been generated. At the same time, the seatbelt device alternates between tightening and releasing the seatbelt such that a time period of tightening the seatbelt is longer than a time period of releasing the seatbelt.

In regards to JP 2002-302026 and JP 2000-006759, Applicant respectfully contends that JP 2002-302026, JP 2000-006759 or the combination thereof do not teach all the features of amended claim 1. More specifically, JP 2002-302026, JP 2000-006759 or the combination thereof do not teach "wherein a period of tightening of the seatbelt is set to be longer than a period of releasing of the seatbelt."

In regards to JP 2002-302026, JP 2002-302026 discloses a driver warning device for a vehicle by intermittently operating the brakes to warn the driver of an impending collision with another vehicle. JP 2002-302026 also discloses other types of warning such as, audio warnings, visual warnings, and a warning that includes

vibrating the driver's seat. JP 2002-302026, however, does not disclose operating a seatbelt as a form of warning the driver of an impending collision. Further, JP 2002-302026 was not cited as teaching operating a seatbelt as a type of warning. Thus, JP 2002-302026 does not teach a time period of tightening the seatbelt is longer than a time period of releasing the seatbelt.

In regards to JP 2000-006759, JP 2000-006759 discloses an occupant constraining device for a vehicle that includes a dozy drive detection section and a risk degree judgment section. The dozy detection section detects when the vehicle steers off course and transmits a signal to the risk degree judgment section. The risk degree judgment section drives a motor to fluctuate (tighten and loosen) a seatbelt to warn the occupant of an impending collision. The degree of fluctuation of the seatbelt increases as the risk or danger increases. JP 2002-006759, however, does not disclose that the time periods for tightening and releasing the seatbelt are different. Thus, JP 2000-006759 does not disclose that a time period of tightening the seatbelt is longer than a time period of releasing the seatbelt.

Based on the foregoing, it is apparent that JP 2002-302026, JP 2000-006759 or the combination thereof do not teach all the features of claim 1. Thus, reconsideration and withdrawal of the rejections of claim 1 based upon the JP 2002-302026 and JP 2000-006759 references are hereby requested.

Claims 4-5 and 8-9 depend from claim 1, thus, all arguments pertaining to claim 1 are equally applicable to these claims and are herein incorporated by reference.

The Examiner rejected claims 6 and 7 under 35 U.S.C. 103(a) as being unpatentable over the combination of JP 2002-302026 in view of JP 2000-006759

as applied to claims 1, 4-5, and 8-9 above, and in further view of Midorikawa, (GB 2,373,220). The Examiner's rejection is traversed for the following reason.

Claims 6 and 7 depend from claim 1, thus, all arguments pertaining to claim 1 are equally applicable to these claims and are herein incorporated by reference.

Further, Applicant submits that Midorikawa (GB 2,373,220) does not correct or eliminate the deficiencies of the combination of JP 2002-302026 and JP 2000-006759 as they relate to claim 1. Midorikawa discloses an automotive restraint and protection system. More specifically, Midorikawa discloses an automotive restraint and protection system that includes a seatbelt and a seatbelt driving means, such as a motor, able to protract or retract the seatbelt. The system further includes a warning means that signals the controller of the seatbelt motor if a collision danger status has been predicted. If the collision danger status has been set, the seatbelt is alternately protracted and retracted thus applying periodically increasing and decreasing pressure on the seatbelt wearer, thereby alerting the wearer of an impending collision. Midorikawa, however, does not teach that the time periods for tightening and releasing the seatbelt are different. Thus, Midorikawa does not disclose that a time period of tightening the seatbelt is longer than a time period of releasing the seatbelt. Therefore, Midorikawa does not correct or eliminate the deficiencies of the combination of JP 2002-302026 and JP 2000-006759 as they relate to claim 1.

The Examiner rejected claim 10 under 35 U.S.C. 103(a) as being unpatentable over the combination of JP 2002-302026 in view of JP 2000-006759 as applied to claims 1, 4-5, and 8-9 above, and in further view of McFarland U.S. Pat. No. 6,701,849 . The Examiner's rejection is traversed for the following reason.

Claim 10 depends from claim 1, thus, all arguments pertaining to claim 1 are equally applicable to claim 10 and are herein incorporated by reference.

Further, Applicant submits that McFarland does not correct or eliminate the deficiencies of the combination of JP 2002-302026 and JP 2000-006759, as they relate to claim 1. McFarland discloses an inflator for providing inflation fluid for inflating a vehicle protection device. McFarland, however, does not disclose a seatbelt warning device whereby a time period of tightening the seatbelt is longer than a time period of releasing the seatbelt. Thus, McFarland does not correct or eliminate the deficiencies of the combination of JP 2002-302026 and JP 2000-006759 as they relate to claim 1.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. SHG-16197.

Respectfully submitted,

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